

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



January 27, 2014

Craig R. Oliver
Chief Building Official
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

RE: Ordinance #2013-08

Dear Mr. Craig:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 19, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink, reading "Enrique M. Rodriguez", is positioned above the printed name.

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



CITY OF MARINA

211 Hillcrest Avenue

Marina, CA 93933

831-884-1278; FAX 831-384-9148

www.ci.marina.ca.us

2013 DEC 19 P 2 3

3:30 PM

CERTIFICATE OF THE CITY CLERK

I, ANITA SHARP, ACTING DEPUTY CITY CLERK OF THE CITY OF MARINA, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of City Council **Ordinance No. 2013-08**, altering the ordinance introduced on October 15, 2013, adopting and amending Title 15 of the Marina Municipal Code to adopt 2013 Editions of California Building Standards Codes, specifically 2013 California Building Code, 2013 California Mechanical Code, 2013 California Residential Code, 2013 California Green Building Standards Code, 2013 Existing Building Code, 2013 California Plumbing Code, 2013 California Electrical Code and 2013 California Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions, adopted by the City Council of the City of Marina at a regular meeting duly held on the 3rd day of December 2013 and that the original appears on record in the office of the City Clerk.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MARINA

Date: December 9, 2013

Anita Sharp, Acting Deputy City Clerk

ORDINANCE NO 2013-08

AN ORDINANCE OF THE CITY OF MARINA ADOPTING AND AMENDING TITLE 15 OF THE MARINA MUNICIPAL CODE TO ADOPT 2013 EDITIONS OF CALIFORNIA BUILDING STANDARD CODES, SPECIFICALLY 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA RESIDENTIAL CODE, 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 CALIFORNIA EXISTING BUILDING CODE, 2013 CALIFORNIA PLUMBING CODE, 2013 CALIFORNIA ELECTRIC CODE, AND 2013 CALIFORNIA FIRE CODE, WITH CERTAIN EXCEPTIONS, MODIFICATIONS AND ADDITIONS REQUIRED BY LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS; AND APPROVING FINDINGS TO SUPPORT LOCAL MODIFICATIONS.

-o0o-

WHEREAS, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City may adopt the provisions of the California Building, Mechanical, Residential, Green Building Standards, Existing Building, Plumbing, Electrical and Fire Codes with certain exceptions, modifications and additions to provisions of the California codes which are reasonably necessary to protect the health, welfare and safety of the citizens of Marina because of local climatic, geological and topographical conditions; and

WHEREAS, provisions of the ordinance introduced on October 15, 2013, were subsequently altered and therefore, in accordance with Government Code section 36934, reintroduction was required; and

WHEREAS, the City Council has considered whether certain modifications to the building standards contained in Exhibit A, attached hereto are necessary in the City of Marina due to local climatic, geological or topographical conditions; and.

WHEREAS, the factual findings made are valid and relate to the amendments made to the California codes in this adoption; and

WHEREAS, the City Council directed that a public hearing be held and duly noticed and published in accordance with California Government Code §50022.3, and said hearing was held on December 3, 2013, concerning the purpose of this Ordinance to adopt the 2013 California Building Standard Codes with modifications to address unique local conditions; and

WHEREAS, this Ordinance was found to be categorically exempt from environmental review, per the provisions of Section 15061(b) (3) of the Guidelines to the California Environmental Quality Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

1. Title 15 Amended: Title 15 entitled "Buildings and Construction" is hereby amended as set forth in the attached twenty-five (25) pages, marked Exhibit "A," and incorporated herein by this reference thereto.

2. Findings Adopted: The City Council hereby adopts the factual findings set forth in respective sections of Title 15 of the Marina Municipal Code, attached hereto as Exhibit A, relating to the amendments made to the California codes.

3. Savings Clause: Repeal of any provision of the Marina Municipal Code or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

4. Severability: If any provision, section, paragraph, sentence or word of this Ordinance, or the application thereof to any person, property or circumstance is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons, property or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Ordinance are severable.

5. Interpretation: The provisions of this ordinance are enacted for the public health, safety and welfare and are to be liberally construed to obtain the beneficial purposes thereof as specified in Chapter 1 of the Building Code. In the event of any conflict between this ordinance and any law, rule or regulation of the State of California, that requirement which established the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of the Municipal Code. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistency and no further, is hereby repealed or modified to the extent necessary to effect the provisions of this ordinance.

6. Filing of Findings: The City Clerk is hereby directed to file a copy of this ordinance with the California Building Standards Commission of the State of California.

7. Liability: The provisions of this ordinance shall not be construed as imposing upon the City of Marina any liability or responsibility for damage to persons or property resulting from defective work, nor shall the City of Marina, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this ordinance or of any permits or certificates issued under this ordinance.

8. Effective Date: This ordinance shall take effect on January 2, 2014.

9. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted in three (3) public places designated by resolution of the City Council and a summary of the ordinance, prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Marina prior to the effective date.

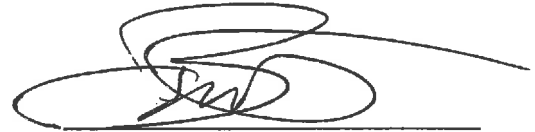
The forgoing ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on November 6, 2013 and was passed and adopted at a regular meeting duly held on December 3, 2013, by the following votes:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

A handwritten signature in black ink, appearing to read "Bruce C. Delgado", written over a horizontal line.

Bruce C. Delgado, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Anita Sharp", written over a horizontal line.
Anita Sharp, Acting Deputy City Clerk

**AMENDMENTS TO TITLE 15 OF THE MARINA MUNICIPAL CODE
BUILDINGS AND CONSTRUCTION**

Editor's Note: **Bold**, [bracketed] numbers and text are for identification purposes only and are not a part of the Title as amended.

[1- Section 15.04.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

"15.04.010 Definitions.

"Building code" means the California Building Code or CBC, 2013 Edition, based on the 2012 International Building Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and this chapter.

"Dangerous building code" is the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

"Electrical code" means the California Electric Code or CEC, 2013 Edition, based on the 2011 National Electrical Code 2011 edition promulgated by the National Fire Protection Association, as amended and set forth in the California Building Standards Code, Title 24 of the California Code of Regulations, and in this title, known as the California Electrical Code (CEC).

"Emergency Work" means work that if not done immediately will effect the life safety of the occupant or cause damage the structure.

"Existing building code" means the California Existing Building Code, 2013 Edition, based on the 2012 International Existing Building Code promulgated by the International Code Council, including the appendix thereto.

"Fire code" is the California Fire Code or CFC, 2013 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions and additions there to as amended in the California Code of Regulations and in the Marina Municipal Code, known as the California Fire Code (CFC).

"Green building standards code" means the California Green Building Standards Code, 2013 Edition thereto, together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

"Housing code" is the Uniform Housing Code 1997, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in the Marina Municipal Code.

"Mechanical code" is the California Mechanical Code or UMC, 2013 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including Appendices A, B, C and D thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as California Mechanical Code (CMC).

"Plumbing code" is the California Plumbing Code or UPC, 2013 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including the Appendices G and I thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as the California Plumbing Code (CPC).

"Residential code" means the California Residential Code, 2013 Edition, based on the 2012 International Residential Code promulgated by the International Code Council together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

"Security code" is the Uniform Building Security Code, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in the Marina Municipal Code (UBSC). (Ord. 2013-___ § 1 (Exh. A (1)), 2013)"

[2 **Section 15.08.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]**

“15.08.010 Adoption of technical provisions of California Building Code (CBC).

A. Except as otherwise provided for in this chapter, the California Building Code (CBC), 2013 Edition, Volumes I and II, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CBC has been filed for use and examination of the public in the office of the building official of the city of Marina. (Ord. 2013-____ § 1 (Exh. A (2)), 2013)”

[3 **Section 15.08.020 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]**

“15.08.020 Section 105.3.2 e amended.

Section 105.3.2 shall be amended to read as follows:

105.3.2 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing AND pays a fee of \$500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required. (Ord. 2013-____ § 1 (Exh. A (3)), 2013)”

[4 **Section 15.08.025 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]**

“15.08.025 Section 105.5 amended.

Section 105.5 shall be amended to read as follows:

105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2013 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of \$1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted and permit obtained along with all applicable fees applied for this new project.

All existing projects are subject to this section and will be subject to the conditions listed above. (Ord. 2013-____ § 1 (Exh. A (4)), 2013)”

[5 **Section 15.08.040 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]**

“15.08.040 Section 1505.1.1 amended.

A. Findings. The amendments set forth in this section are reasonably necessary because of the following local geological, topographical and climactic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.

2. The local geographic, topographic and climactic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina and may cause a delayed fire response time, allowing further growth of a fire.

3. The types of roof coverings as set forth in the amendment are a more restrictive standard, which will better prevent fire damage, which can result from local conditions.

B. Section 1505.1.1 shall be amended to read as follows:

“Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire retardant roof or class A roof. (Ord. 2013-___ § 1 (Exh. A (5)), 2013)”

[6 Section 15.08.100 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

“15.08.100 Portions of the California Building Code which are not approved, adopted or incorporated by reference.

The following portions of the California Building Code 2013 Edition or the appendices thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the building code of the city of Marina.

Appendices:

2013 CBC Appendix A (Employee Qualifications)

2013 CBC Appendix B (Board of Appeals)

2013 CBC Appendix C (Ag Buildings)

2013 CBC Appendix D (Fire Districts)

2013 CBC Appendix F (Rodent Proofing)

2013 CBC Appendix G (Flood Proofing)

2013 CBC Appendix K (Flooding)

2013 CBC Appendix M (Tsunami Flood Map)

(Ord. 2013-___ § 1 (Exh. A (6)), 2013)”

Note – Findings made at 15.08.110 are retained in the Code – but note there is a reference to the CFC 2007 Edition in 5.08.110 B – does this need to be changed?.

[7 Section 15.12.010 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:]

“15.12.010 Adoption of technical provisions of California Mechanical Code (CMC).

A. Except as otherwise provided for in this chapter, the California Mechanical Code, 2013 Edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CMC has been filed for use and examination of the public in the office of the building official of the city of Marina. (Ord. 2013-___ § 1 (Exh. A (7)), 2013)”

[8- Section 15.12.011 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:]

“15.12.011 Portions of California Mechanical Code which are not approved, adopted or incorporated by reference.

The following portions of the California Mechanical Code or CMC, 2013 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the mechanical code of the city of Marina:

Chapter 1, Division II, and all of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CMC Appendices A, B, C and D. (Ord. 2013-____ § 1 (Exh. A (8)), 2013)”

[9 Chapter 15.14 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:]

“Chapter 15.14 RESIDENTIAL CODE

Sections:

- | | |
|-----------|---|
| 15.14.010 | Adoption of technical provisions of California Residential Code (CRC). |
| 15.14.020 | Section R105.2 amended. |
| 15.14.030 | Section R106.5 amended. |
| 15.14.040 | Section R106.6 amended |
| 15.14.050 | Section Table R302.6 amended |
| 15.14.060 | Section R313.1 amended |
| 15.14.070 | Section R313.2 amended |
| 15.14.080 | Section R403.1.3 amended |
| 15.14.090 | Section R902.1.1.amended |
| 15.14.100 | Portions of California Residential Code which are and are not approved, adopted or incorporated by reference. |

15.14.010 Adoption of technical provisions of California Residential Code (CRC).

A. Except as otherwise provided for in this chapter, the California Residential Code, 2013 Edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto are approved and adopted, and hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CRC has been filed for use and examination of the public in the office of the building official of the city of Marina.

C. Findings. The amendments set forth in Sections 15.14.020, 15.14.030, 15.14.040, 15.14.050, 15.14.060, 15.14.070, 15.14.080 and 15.14.090 are reasonably necessary because of the following local geological, topographical and climatic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.
2. The local geographic, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina, and may cause a delayed fire response time, allowing further growth of the fire.
3. The type of residential construction provisions set forth in the amendments are more restrictive standards, which will better prevent fire and seismic damage, which can result from local conditions. (Ord. 2013-____ § 1 (Exh. A (9)), 2013)”

15.14.020 Section R105.2 "Work exempt from permit" amended.

Section R105.2 is amended to read as follows:

(10) Decks that are not more than 30 inches above grade, at any point. (Ord. 2013-____ § 1 (Exh. A (9)), 2013)

15.14.030 Section R105.5 amended.

Section R105.5 is hereby amended to read as follows:

R105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2013 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of \$1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted and permit obtained along with all applicable fees applied for this new project.

All existing projects are subject to this section and will be subject to the conditions listed above. (Ord. 2013-____ § 1 (Exh. A (9)), 2013)

15.14.040 Section R106.6 amended.

Section R106.6 is hereby amended to read as follows:

R106.6 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing and pays a fee of \$500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required. (Ord. 2013-____ § 1 (Exh. A (9)), 2013)

15.14.050 Table 302.6 amended.

Table R302.6 is hereby amended to read as follows:

Table R302.6 is amended to read as follows:

"Not less than 5/8" type X" in all columns in the table. (Ord. 2013-____ § 1 (Exh. A (9)), 2013)

15.14.060 Section R313.1 deleted.e.

Section R313.1 deleted.

Delete Section R313.1 "exception" in its entirety. (Marina local ordinance is more restrictive) (Ord. 2013-____ § 1 (Exh. A (9)), 2013)

15.14.070 Section R313.2 deleted.

Section R313.2 deleted.

Delete Section R313.2 "exception" in its entirety (Marina Local Ordinance is more restrictive) (Ord. 2013-____ § 1 (Exh. A (9)), 2013)

15.14.080 Section R403.1.3 amended.

Section R403.1.3 is hereby amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family *dwelling*s which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted. (Ord. 2013-____ § 1 (Exh. A (9)), 2013)

15.14.090 Section R902.1.1 amended.

Section R902.1.1 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire retardant roof or Class A roof. (Ord. 2013-____ § 1 (Exh. A (9)), 2013)

15.14.100

Portions of California Residential Code which are and are not approved, adopted or incorporated by reference.

The following portions of the California Residential Code or CRC, 2013 Edition, or the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the residential code of the city of Marina:

A. CRC Appendices G and H. (Ord. 2013-____ § 1 (Exh. A (9)), 2013)"

[10 Chapter 15.18 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:]

"Chapter 15.18 GREEN BUILDING STANDARDS CODE

Sections:

15.18.101 Adoption of California Green Building Standards Code (CGBSC).

15.18.020 Portions of California Green Building Standards Code which are not approved, adopted or incorporated by reference.

15.18.010 Adoption of California Green Building Standards Code (CGBSC).

A. Except as otherwise provided for in this chapter, the California Green Building Standards Code, 2013 Edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CGBSC has been filed for use and examination of the public in the office of the building official of the city of Marina. (Ord. 2010-06 § 1 (Exh. A (10)), 2013)

15.18.020 Portions of California Green Building Standards Code which are not approved, adopted or incorporated by reference.

The following portions of the California Green Building Standards Code or CGBSC, 2013 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the green building standards code of the city of Marina:

All of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CGBSC Appendices A-4 and A-5. (Ord. 2013-____ § 1 (Exh. A (10)), 2013)"

[11 Chapter 15.22 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:]

"Chapter 15.22 EXISTING BUILDING CODE

Sections

15.22.010 Adoption of California Existing Building Code (CEBC).

15.22.010 Adoption of California Existing Building Code (CEBC).

A. The California Existing Building Code, 2013 edition is approved and adopted, and is hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEBC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina." (Ord. 2013-____ § 1 (Exh. A (11)), 2013)"

[12 Section 15.24.010 of the Marina Municipal Code is repealed in its entirety and replaced to read as follows:]

"15.24.010 Adoption of Technical Provisions of California Plumbing Code (CPC).

A. Except as otherwise provided for in this Chapter, the California Plumbing Code, 2013 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B One copy of the CPC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina. (Ord. 2013-____ § 1 (Exh. A (12)), 2013)"

[13 Section 15.24.030 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

"15.24.030 Portions of California Plumbing Code which are not approved, adopted or incorporated by reference.

The following portions of the California Plumbing Code or CPC, 2013 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the plumbing code of the City of Marina:

Chapter 1 – Division II and all of the Appendices with the exception of the following Appendix Chapters or portion thereof (which are approved, adopted and incorporated in this Chapter by reference) :

A. CPC Appendix G

B. CPC Appendix I. (Ord. 2013-____ § 1 (Exh. A (13)), 2013)”

[14 Chapter 15.28 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

“Chapter 15.28 ELECTRICAL CODE

Sections

15.28.010 Adoption of the technical provisions of the California Electrical Code

15.28.010 Adoption of Technical Provisions of California Electrical Code (CEC).

A. Except as otherwise provided for in this Chapter, the California Electrical Code, 2013 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.” (Ord. 2013-____ § 1 (Exh. A (14)), 2013)”

[15 Chapter 15.32 of the Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

“Chapter 15.32 ADOPTION OF THE CALIFORNIA FIRE CODE (CFC)

Sections:

15.32.050 Adoption of technical provisions of California Fire Code.

15.32.010 Definitions.

15.32.020 Bureau of fire prevention established.

15.32.030 Findings.

15.32.040 Section 5609 added.

15.32.050 Section 5609.1 added.

15.32.060 Section 5609.1.2 added.

15.32.070 Section 5609.1.3 added.

15.32.080 Section 5609.1.4 added.

15.32.090 Section 5609.1.5 added.

15.32.100 Section 307.1.2 added.

15.32.110 Section 307.2.1.2 added.

15.32.120 Chapter 9, Section 903—Amended.

15.32.130 Appendix AE adopted and added.

15.32.140 Portions of California Fire Code which are not approved, adopted or incorporated by reference.

15.32.150 Part IX Appendices adopted.

15.32.005 Adoption of technical provisions of California Fire Code.

A. Except as otherwise provided for in this chapter, the California Fire Code or CFC, 2013 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations, are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CFC has been filed for use and examination of the public in the office of the fire chief of the City of Marina. (Ord. 2013-___ § 1 (Exh. A (15) (part)), 2013)

15.32.010 Definitions.

As used in this chapter or in any other uniform codes or other nationally recognized fire safety standard made a part of this chapter, unless otherwise apparent from the context:

- A. "City" means the city of Marina when it refers to a political entity, and means the incorporated area of the city of Marina when it refers to an area.
- B. "City council" means the city council of Marina.
- C. "Fire Chief" means the chief of the fire department serving the city of Marina.
- D. "Fire code official" means the Fire Chief or his or her designee.
- E. "Mayor" means the mayor of the City of Marina.
- F. "Municipality" means the City of Marina. (Ord. 2013-___ § 1 (Exh. A (15) (part)), 2013)

15.32.020 Bureau of fire prevention established.

The California Fire Code shall be enforced by the fire chief or his/her designee. The fire chief is appointed as the fire code official. The bureau of fire prevention is established within the city under the direction of the fire code official. The function of the fire prevention bureau shall be the implementation, administration and enforcement of the provisions of the Fire Code. References within the California Fire Code to the "department of fire prevention" shall mean the bureau of fire prevention (Ord. 2013-___ § 1 (Exh. A (15) (part)), 2013)

15.32.030 Findings.

The amendments set forth in Sections 15.32.040 through 15.32.130 are reasonably necessary because of the following local climatic, geological and topographical conditions:

A. Climate. The city, on average, experiences an approximate annual rainfall of fifteen inches. The heaviest months for rainfall can be expected between January and April. During winter months, the city may experience periods of heavy rain, which can cause local flooding. Due to the proximity of the Pacific

Ocean, winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The city has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. Light to gusty winds occur during dry periods which, when coupled with highly flammable vegetation, can cause uncontrollable fires. With increased development spreading into brush covered coastal hill areas, wind driven fires could have severe consequences, as have been demonstrated on several occasions throughout the state.

B. Geologic. The city is susceptible to seismic hazards resulting from movement along any one of several known faults. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat-producing appliances and the unavailability to water for fire control due to broken water mains. In the event of a major earthquake many areas of the city may not be accessible to emergency equipment and, if bridges or roads are damaged, the city may be isolated from outside assistance.

C. Topographical. The city is divided by California State Highway 1. The freeway creates barriers which obstruct traffic patterns and delay response time for fire equipment. The water supply within the city is directly affected by the topographical layout. In the event of a major catastrophe, the city does not have an elevated water storage system to supply pressurized water to the city fire hydrants.

D. Conclusion. Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity and size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Fire Code be amended by this chapter to mitigate the effects of these conditions. (Ord. 2013-___ § 1 (Exh. A (15) (part)), 2013)

15.32.040 Section 5609 added.

Section 5609 is added to Chapter 56 of the California Fire Code to read as follows:

5609.0 Safe and Sane Fireworks Permitted. Notwithstanding the foregoing provision of law, safe and sane fireworks, as defined by the California Health and Safety Code or regulations issued by the Office of the State Fire Marshal, may be sold and discharged within the City during the period from 12:00 o'clock noon on June 28 to and until 11:59 p.m. on July 4 of each year, pursuant to the provisions of this ordinance and not otherwise.

No fireworks shall be sold, or offered for sale, discharged, or possessed within the city of Marina that are classified by the California Health and Safety Code as a dangerous firework.

Any property owner that allows the willful possession, sale or discharge of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both. Any person in possession of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both, all fireworks shall be confiscated.

The safe and sane firework known as a "Piccolo Pete", "Whistling Phantom", or similar type of whistling fountain shall not be sold or discharged within the city of Marina.

(Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)

15.32.050 Section 5609.1 added.

Section 5609.1 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1 Sale Permit Required. No person, co-partnership, partnership, organization or group shall sell safe and sane fireworks within the City without first having applied for and received a permit therefor in compliance with the terms of this ordinance. Upon receipt of a written application for a permit pursuant to this ordinance, the city manager shall direct the Fire Chief to cause an investigation to be made and make a report to the city manager of his findings and his recommendations for or against the issuance of a permit, together with his reasons therefor. After the receipt of such report and recommendations, the City Manager shall have the power, in his discretion, to grant or deny the application. The denial of an application may be appealed to the City council by a written notice of appeal filed with the city clerk within five (5) days after notice of the city manager's action. Any permit granted by the city manager may be subject to such reasonable conditions and restrictions as may be imposed by the city manager, and such conditions and restrictions shall be complied with by the permittee.

(Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)

15.32.060 Section 5609.1.2 added.

Section 5609.1.2 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.2 Permittees. The sale of "safe and sane" fireworks within the City is allowed by non-profit agency, certified by the Secretary of the State of California or the Internal Revenue Service, that is based in the City of Marina and having a mailing address within the city of Marina and whose primary purpose is to benefit the youth and adults that live in the city of Marina. No permit for the sale of safe and sane fireworks shall be issued to any person, corporation, partnership, organization or group which has not been in business or in operation within the City for at least one (1) year continuously preceding the filing of the application. Being in business shall require the prior payment of a business license fee to the City. An organization or group shall be deemed to be in operation if it has a principal and permanent meeting place in the City, holds regular business meetings at that location and has a bona fide membership of at least twenty (20) members. (Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)

5.32.070 Section 5609.1.3 added.

Section 5609.1.3 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.3. Application for Permit. Application for a permit to sell safe and sane fireworks shall:

- a) Be made in writing;

- b) Be filed with the Fire Chief on or prior to May 1 of each year;
- c) Set forth the proposed location of all fireworks stands, and the dimensions thereof;
- d) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deliver to the city manager satisfactory evidence of an insurance policy with \$50,000/100,000 public liability and \$10,000 property damage coverages, with a rider attached to the policy designating the City and its agents and employees as additional insured thereunder;
- e) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deposit \$100.00 cash with the city clerk, which deposit shall be refunded to the permittee after the permit period has ended, if said permittee has complied with all applicable provisions of law for the sale of fireworks, but to be forfeited and retained by the City in the event of noncompliance with such law;
- f) Be accompanied by a nonrefundable application fee as specified in Chapter 3 of the Marina Municipal Code; and
- g) Shall contain the following information: name and address of the applicant; applicant's business or organization status; the date the applicant was organized or first conducted business; the names and addresses of applicant's officers, if any; the location of applicant's principal and permanent place of business or meeting; the location where applicant will sell and store fireworks; and the applicant's State Board of Equalization Sales Tax Permit Number.

Provided the above requirements are met, permits shall be granted on a first-applied for, first-granted basis. Applicants for permits hereunder shall be notified by the Fire Chief or his or her designee of the granting or denial of their application for a permit on or before the first day of June each year. (Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)

15.32.080 Section 5609.1.4 added.

Section 5609.1.4 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.4 Fireworks Stands, Regulations. All retail sales of safe and sane fireworks shall be permitted only from within a temporary fireworks stand, and the sale from any other building or structure is prohibited. Such stands shall be subject to the following regulations:

- a) No person, corporation, partnership, organization or group other than the designated permittee shall operate the stand for which a permit is issued or share or otherwise participate in the profits from the operation of such stand.
- b) No person other than individuals who are employees of the permittee or members of a permittee organization or group, or the spouses or children, eighteen years or older, of such persons, shall sell or otherwise participate in the sale of fireworks at such stand.
- c) Fireworks stands shall comply with the provisions of the Building Code of the City, and all stands shall be erected under the supervision of the building official, who shall require that stands be constructed in a manner which will reasonably insure the safety of attendants and patrons. An electrical permit and compliance with electrical codes are required.
- d) If, in the judgment of the building official or fire department inspector, the construction of the stands or the conduct of the operators therein does not conform to the provisions of this ordinance, such officer may order the stands immediately closed.
- e) No person shall be allowed in the interior of the stands except those directly employed in the sale of fireworks.
- f) There shall be at least one supervisor, twenty-one (21) years of age or older, on duty at all times. There shall be no sale of fireworks to persons under sixteen (16) years of age.
- g) No stand shall be placed closer than thirty (30) feet to any other building.
- h) NO SMOKING signs shall be prominently displayed both inside and outside the stand. No smoking shall be permitted within the stand, or within five (5) feet of the stand.
- i) All weeds and combustible material shall be cleared from the location of the stand. No rubbish shall be allowed to accumulate in or around any fireworks stand, nor shall a fire nuisance be permitted to exist.

j) No stand shall be erected before June 15th of any year. The premises on which the stand is erected shall be cleared of all structures and debris not later than noon of the 12th day of July following.

k) All stands must be equipped with at least one 2 1/2-gallon water pressure type extinguisher for each exit in the stand. Each fire extinguisher shall have a current State Fire Marshal tag affixed and have been serviced within the last year.

l) Each stand in excess of twenty (20) feet in length must have at least two (2) exits; and each stand in excess of forty (40) feet in length must have at least three (3) exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty (20) feet.

m) No stand shall be constructed with a depth of more than twelve (12) feet.

n) All unsold safe and sane fireworks shall be returned to the wholesaler not later than the eighth (8) day of July.

o) Fireworks shall be stored only in a metal type Conex container and be equipped with a lock for overnight storage at the firework stand location. No fireworks shall be stored in the temporary fireworks stands when the stand is not occupied and not in operation.

p) In addition to the above, the permittee shall also conform to all regulations relating to the storage and sale of fireworks as set forth in the California Health and Safety Code and the Fireworks Rules and Regulations of the State Fire Marshal.

q) No one shall possess, use, or sell dangerous or illegal fireworks from the stand or near the stand. Violation of this section shall cause for immediately revoking the Fire Department permit and the stand will be shut down.

r) No fireworks shall be sold or discharged on the Marina Municipal Airport property.

(Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)

15.32.090 Section 5609.1.5 added.

Section 5609.1.5 is added to Chapter 56 of the California Fire Code to read as follows:

a. 5609.1.5 NUMBER OF FIREWORK STAND PERMITS.

(a) Firework stand permits shall be limited to one (1) permit being available for firework stands in the City per every three thousand (3,000) in City population.

(b) As the population of the City increases, the then current limit on the number of permits for any calendar year shall be increased by one (1) permit per every three thousand (3,000) in additional City population. Population to be determined using the then current State of California Department of Finance, Demographic Research Unit's Population Estimates for California cities.

(Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)

15.32.100 Section 307.1.2 added.

Section 307.1.2 of Chapter 3 of the California Fire Code is added to read as follows:

The Chief of the Marina Fire Department shall prohibit all outdoor rubbish fires. No waste matter shall be disposed of by burning within the City of Marina.

(Ord. 2013-____ § 1 (Exh. A (11) (part)), 2013)

15.32.110 Section 307.2.1.2 added.

Section 307.2.1.2 of Chapter 3 of the California Fire Code is added to read as follows:

Permit Required. No person shall kindle or maintain any open ground fire or authorize any such fire or authorize any such fire to be kindled or maintained for the purpose of preparation of food, such as in the case of a luau or barbecue or recreational fire without a permit from the Marina Fire Department. Other than one and two family residential dwelling units shall also need to secure a permit and/or clearance from the Monterey Bay Unified Air Pollution Control District.

(Ord. 2013-a____ § 1 (Exh. A (15) (part)), 2013)

15.32.120 Chapter 9, Section 903—Amended.

Chapter 9, Section 903 of the California Fire Code is amended to read as follows:

Section 903.1 All Occupancies.

1. An automatic sprinkler system shall be installed and maintained in all new construction to include mobile homes and manufactured homes moved into the City regardless of floor area or occupancy use with the following exceptions.

EXCEPTIONS:

a. When sprinklers are considered undesirable because of the nature of the contents or in rooms or areas which are of noncombustible construction with wholly noncombustible contents and which are not exposed by other areas. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistive construction or contains electrical equipment.

b. Temporary Buildings under 1,000 Sq. ft.

c. Airport control towers.

d. One story detached accessory buildings to a group R-3 dwelling unit.

e. Open parking structure.

f. Sprinklers shall not be installed when the application of water or flame and water to the contents may constitute a serious life or fire hazard, as in the manufacture or storage of quantities of aluminum powder, calcium carbide, calcium phosphide, metallic sodium and potassium, quicklime, magnesium powder and sodium peroxide.

g. Existing mobile home parks within the City regulated by the Department of Housing and Community Development are exempt. Authority, Health and Safety Code, Mobile home Parks Act, Section 18300.

h. Where the existing conditions would constitute an existing hardship prohibiting the installation of the fire sprinkler system in existing One and Two Family Dwellings. Existing factors constituting the hardship shall be submitted to the Fire Chief for verification and approval. Existing hardship is defined as "an insufficient amount of water at the street side of the water meter."

The following sections are amended by changing the requirements to "required in all new construction" for fire sprinkler installation, as follows (the complete text of these subsections is not provided):

903.2.1.1 Group A-1. Required in all new construction.

903.2.1.2 Group A-2. Required in all new construction.

903.2.1.3 Group A-3. Required in all new construction.

903.2.1.4 Group A-4. Required in all new construction.

903.2.1.5 Group A-5. Required in all new construction.

903.2.3. Group E. Required in all new construction.

903.2.4 Group F-1. Required in all new construction.

903.2.5 Group H. Required in all new construction.

903.2.6 Group I. Required in all new construction.

903.2.7 Group M. Required in all new construction.

903.2.9 Group S-1. Required in all new construction.

903.2.9.1 Repair Garages. Required in all new construction.

903.2.9.2 Bulk storage of tires. Required in all new construction.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all new construction with a Group R fire area, including but not limited to, one- and two-family dwellings, townhomes, and manufactured homes and mobile homes located outside of licensed mobile home parks hereafter constructed, moved into or relocated within the City, including all additions to buildings already equipped with automatic fire sprinkler systems

Section 903.3.1.2 is amended to read as follows:

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R as amended in Chapter 47.

903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

903.3.1.2.2 Attics. Where NFPA 13R sprinkler systems are installed, all attic areas shall be provided with sprinkler protection in accordance with NFPA 13.

903.3.1.2.3 Sprinkler control valves. Where NFPA 13R sprinkler systems are installed, sprinkler system control valves shall be installed in accordance with NFPA 13.

903.3.1.2.4 Accessible storage areas. Automatic sprinklers shall be installed in all accessible storage areas.

903.3.1.2.5 Under-stair spaces. Automatic sprinklers shall be installed in all under-stair spaces including all under-stair closets.

Section 903.3.1.3 is amended to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Automatic fire sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and the following:

The requirements of this section supersede the requirements of the California Residential Code.

903.3.1.3.1 All fire sprinkler systems installed in accordance with NFPA Standard 13D shall be tested for leakage by undergoing a hydrostatic test at 200 psi for a two-hour duration.

903.3.1.3.2 Each water system supplying both domestic and fire protection system shall have a single indication-type control valve, arranged to shut-off both the domestic and sprinkler systems. A separate shut-off valve for the domestic system only shall be permitted to be installed. The location of the control valve shall be approved by the fire code official.

903.3.1.3.3 Local water flow alarms shall be provided on all sprinkler systems. Local water flow alarms shall be powered from the main kitchen refrigerator circuit. The local water flow alarm shall be clearly audible from within the master bedroom. Where no kitchen exists in the building, the water flow alarm shall be powered from the bathroom lighting circuit.

903.3.1.3.4 Automatic sprinklers shall be installed in all attached garages and structures.

903.3.1.3.5 Automatic sprinklers shall be installed in all accessible and under-stair spaces that could be used for storage and/or equipment.

903.3.1.3.6 Spare sprinklers shall be provided as required by NFPA 13.

EXCEPTION

Existing One and Two Family Dwellings without fire sprinklers, additions not exceeding fifty (50%) percent of the existing square footage of habitable space are exempt from this section.

Section 903.4.1 is amended to read as follows:

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72-2013, or, when approved by the fire code official, shall sound an audible signal at a constantly attended location. The fire alarm system installed to transmit such signals shall be considered a building fire alarm system. (exceptions remain unchanged)

Section 903.4.2 is amended to read as follows:

903.4.2 Alarms. One exterior approved audible appliance shall be connected to every automatic sprinkler system in an approved location. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Interior alarm notification appliances shall be installed as required by Section 903.4.2.1.

Section 903.4.2.1 is added to read as follows:

903.4.2.1 Where an automatic fire sprinkler system is installed in a building with more than one tenant or with over 100 sprinkler heads, audible and visible notification appliances shall be installed throughout the building as follows:

- a. Audible notification appliances shall be installed so as to be audible at 15 dBA above average sound pressure level throughout the building.
- b. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors in accordance with the spacing requirements of NFPA 72.
- c. Visible notification appliances can be eliminated in normally unoccupied portions of buildings where permitted by the fire code official.

EXCEPTION: The requirements of this section do not apply to Group R-3 Occupancies.

Section 903.4.3 is amended to read as follows:

903.4.3 Floor control valves. Approved indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in all buildings over one story in height, and shall be individually annunciated as approved by the fire code official.

(Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)

15.32.130 Appendix AE adopted and added.

Appendix AE is adopted and added to read:

APPENDIX AE – ALTERNATIVE ENERGY SYSTEMS

AE101 General Provisions

AE101.1 Scope. Applications for the installation, additions or remodel of alternative energy system, including but not limited to photovoltaic and wind generation systems, shall be subject to this appendix when conditioned by the fire code official.

AE101.2 Conflicting Sections. Where provisions in this appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the fire code official.

AE102 Signs and Marking:

All photovoltaic systems shall be permanently marked as specified in this section.

AE102.1 Main Service Disconnect

- a. **Main Panel Exterior Marking.** A placard is required to be permanently affixed to the main service disconnect panel. The placard shall be red in color with white capital letters at least 3/4" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather-resistant, durable plastic with engraved letters, or other approved material.
- b. **Circuit Disconnecting Means Marking.** A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have contrasting color capital letters at least 3/8" in height and in a non-serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

AE102.2 Direct Current (DC) Conduits, Raceways, Enclosures, Cable Assemblies, and Junction Boxes.

- a. **Marking** is required on all interior and exterior direct current (DC) conduits, raceways, enclosures, cable assemblies, and junction boxes.
- b. **Marking Locations.** Marking shall be placed on all DC conduits, raceways, enclosures, and cable assemblies every ten feet (10'), at turns and above and below penetrations. Marking shall also be placed on all DC combiner and junction boxes.
- c. **Marking Content and Format.** Marking for DC conduits, raceways, enclosures, cable assemblies and junction boxes shall be red with white lettering with minimum 3/8" capital letters in a non-serif font, to read "WARNING: SOLAR CIRCUIT." Marking shall be reflective, weather resistant, and suitable for the environment. Materials used should be in compliance with UL Standard 969.

AE102.3. **Secondary Power Sources.** Where photovoltaic systems are interconnected to battery systems, generator backup systems, or other secondary power systems, additional signage acceptable to the fire code official shall be required indicating the location of the secondary power source shutoff switch.

AE102.4. **Installer Information.** Signage acceptable to the fire code official indicating the name and emergency telephone number of the installing contractor shall be required to be installed adjacent to the main disconnect.

AE102.5 **Inverters.** No markings are required for inverters.

AE102.6 **AC Photovoltaic Systems.** AC Photovoltaic Systems shall be marked as specified in this section.

- a. **Main Panel Exterior Marking.** A placard is required to be permanently affixed to the car service disconnect panel. The placard shall be red in color with white capital letters at least 3/4" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather resistant, durable plastic with engraved letters, or other approved material.
- b. **Circuit Disconnecting Means Marking.** A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have contrasting color capital letters at least 3/8" in height and in a non-serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

AE103 Building Mounted Photovoltaic Systems.

AE103.1. All building- or roof-mounted photovoltaic systems shall be installed as specified in this section.

- a. **Access, Pathways, and Smoke Ventilation.** Access and spacing requirements shall be observed to ensure emergency access to the roof, provide pathways for specific areas of the roof, provide for smoke ventilation opportunity areas, and to provide emergency egress from the roof.

b. Exceptions. Exceptions to the requirements in this section shall be permitted to be granted by the fire code official where access, pathway or ventilation requirements are reduced due to any of the following circumstances:

- (1). Proximity and type of adjacent exposures.
 - (2). Alternative access opportunities, as from adjoining roofs.
 - (3). Ground level access to the roof.
 - (4). Adequate ventilation opportunities below solar arrays.
 - (5). Adequate ventilation opportunities afforded by module set back from other rooftop equipment.
 - (6). Automatic ventilation devices.
 - (7). New technologies, methods, or other innovations that ensure adequate fire department access, pathways, and ventilation opportunities.
- c. Designation of ridge, hip, and valley does not apply to roofs with 2-in-12 or less pitch.
- d. Measurement Conventions. All roof dimensions shall be measured to centerlines.
- e. Roof Access Points. Roof access points shall be defined as areas where ladders are not placed over openings (windows or doors) and are located at strong points of building construction and in locations where they will not conflict with overhead obstructions (tree limbs, wires, or signs).

AE103.2 Household Systems (One- and Two-Family Dwellings)

a. Access and Pathways.

- (1). Hip Roof Layouts. Modules shall be located in a manner that provides one (1) three foot (3') wide clear access pathway from the eave to the ridge of each roof slope where the modules are located. The access pathway shall be located at a structurally sound location on the building, such as a bearing wall. EXCEPTION: Where adjoining roof planes provide a three foot (3') wide clear access pathway.
 - (2). Single Ridge Layouts. Modules shall be located in a manner that provides two (2) three-foot (3') wide access pathways from the eave to the ridge on each roof slope where the modules are located.
 - (3). Hip and Valley Layouts. Modules shall be located no closer than one and one-half feet (1-1/2') to a hip or valley if modules are to be placed on both sides of a hip or valley. Where modules are located on only one side of a hip or valley that is of equal length, the modules shall be permitted to be placed directly adjacent to the hip or valley.
- b. Ridge Setback. The modules shall be located no higher than one and one-half feet (1-1/2') below the ridge.

AE103.3. Commercial Systems.

- a. Definition. Commercial Systems shall be defined as all photovoltaic systems installed in any occupancy other than a one and two family dwelling.
- b. Alternative Requirements. Where the fire code official determines that the roof configuration is similar to residential (i.e., townhouses, condominiums, or single-family attached buildings) the fire code official shall be permitted to make a determination to apply the requirements under Section AE103.2, above.
- c. Access. There shall be a minimum six-foot (6') wide clear perimeter around the edges of the roof. EXCEPTION: If either access to the building is 250' or less, there shall be a minimum four foot (4') wide clear perimeter around the edges of the roof.
- d. Pathways. Pathways shall be established as follows:
- (1). Pathways shall be over structural members.

- (2). Centerline axis pathways shall be provided in both axes of the roof.
- (3). Centerline axis pathways shall run on structural members or over the next closest structural member nearest to the center lines of the roof.
- (4). Pathways shall be straight line not less than four feet (4') clear to skylights, ventilation hatches, and/or roof standpipes.
- (5). Pathways shall provide not less than four feet (4') clear around roof access hatches with at least one not less than four foot (4') clear pathway to the parapet or roof edge.

e. Smoke Ventilation.

- (1). Solar arrays shall be no greater than 150 feet by 150 feet in distance in either axis.
- (2). Ventilator options between array sections shall be (a) a pathway eight feet (8') or greater in width; (b) a pathway four feet (4') or greater in width and bordering on existing roof skylights or ventilation hatches; or (c) a pathway four feet (4') or greater in width and bordering four foot by eight foot (4' X 8') "venting cutouts" every twenty feet (20') on alternating sides of the pathway.

AE104. Location of Direct Current (DC) Conductors.

AE 104.1 all direct current (DC) conductors shall be installed as specified in this section.

- a. Exterior mounted Direct Current conduits, wiring systems and raceways for photovoltaic circuits shall be located as close as possible to the ridge, hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities.
- b. Conduit runs between sub-arrays and to DC combiner boxes shall use design guidelines that minimize the total amount of conduit by taking the shortest path from the array to the DC combiner box.
- c. DC combiner boxes shall be located so that conduit runs are minimized in the pathways between arrays.
- d. DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building and shall be run as follows:
 - (1). When run perpendicular or parallel to load bearing members, a minimum ten-inch (10") space below roof decking or sheathing shall be maintained.
 - (2). Where flexible metal conduit (FMC) or metal clad cable (MC) containing PV power circuit conductors is installed across ceilings or floor joists, the raceway or cable shall be protected by guard strips.

AE105 Ground Mounted Photovoltaic Systems

AE105.1 Marking shall be in accordance with Section AE102, above.

AE105.2 Setbacks. Special setback requirements do not apply to ground-mounted, freestanding photovoltaic arrays. NOTE: The zoning regulations of the jurisdiction regulate setbacks between buildings, accessory structures (possibly including ground-mounted photovoltaic arrays) and property lines.

AE105.3 Clearances. A clear area of ten feet (10') around ground-mounted photovoltaic installations shall be provided.

AE105.4 Non-Combustible Base. A gravel base or other non-combustible base acceptable to the fire code official shall be installed and maintained under and around the installation.

AE105.5 Protection. Fencing, skirting, or other suitable security barrier shall be installed when required by the fire code official. NOTE: Security barriers are intended to protect individuals and animals from contact with energized conductors or other components.

AE105.6 Fire Sprinkler Protection. Fire sprinkler protection is not required for ground-mounted photovoltaic installations.

(Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)

15.32.140 Portions of California Fire Code which are not approved, adopted or incorporated by reference.

The following portions of the California Fire Code, 2013 Edition, or of the appendices thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the fire code of the city of Marina:

- A. Section 103.1 of Division II of Chapter 1
- B. Section 103.2 of Division II of Chapter 1
- C. Section 108 of Division II of Chapter 1.
- D. Section 109 of Division II of Chapter 1.
- E. Section 113 of Division II of Chapter 1. (Ord. 2010-06 § 1 (Exh. A (15) (part)), 2013)

15.32.150 Part IX Appendices adopted.

Appendices of the California Fire Code adopted as follows:

Provisions in Appendix Chapter 4 and Appendices B, BB, C, CC, D, E, H and I are hereby adopted in their entirety and shall apply.

All of Chapter 1 except Sections 103.1, 103.2, 108, 109, and 113. (Ord. 2013-____ § 1 (Exh. A (15) (part)), 2013)